



LOCAL PLANNING AGENCY MEETING

MEETING DATE: MONDAY, JUNE 4, 2018 AT 7:45 PM COMMISSION CHAMBERS, 500 SW 109 AVENUE

DECORUM

Sec. 2-55. - Manner of addressing commission; time limit.

Each person addressing the city commission shall step up in front of the rail, give his name and address in an audible tone of voice for the records, and unless further time is granted by the city commission, shall limit his address to three minutes. All remarks shall be addressed to the city commission as a body and not to any member thereof. No person, other than the members of the city commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the city commission, without the permission of the presiding officer. No question shall be asked a commission member except through the presiding officer.

Sec. 2-57. - Decorum generally.

(a) By commission members. While the city commission is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the city commission nor disturb any member while speaking or refuse to obey the orders of the city commission or its presiding officer, except as otherwise provided in this division.

(b) By other persons. Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the city commission shall be forthwith barred by the presiding officer from further audience before the city commission, unless permission to continue is granted by a majority vote of the city commission.

1. ROLL CALL.
2. PLEDGE OF ALLEGIANCE.
3. INVOCATION.
4. THE CITY COMMISSION SITTING AS THE LOCAL PLANNING AGENCY WILL CONSIDER:

RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE CITY OF SWEETWATER RECOMMENDING/NOT RECOMMENDING THE CITY COMMISSION GRANT A REQUEST TO AMEND THE CITY'S COMPREHENSIVE MASTER PLAN TO INCORPORATE NEW TEXT TO THE TRANSPORTATION ELEMENT OF THE PLAN CREATING OBJECTIVE 8 AND ESTABLISHING A TRANSPORTATION CONCURRENCY MANAGEMENT PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

5. ADJOURNMENT.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION SITTING AS THE LOCAL PLANNING AGENCY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. PERSONS WHO NEED AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT CITY CLERK CARMEN J. GARCIA AT 221-0411 BY NOON ON THE DAY BEFORE THE MEETING IN ORDER TO REQUEST SUCH ASSISTANCE.

LPA RESOLUTION No. 2018-_____

WHEREAS, the existence of the Local Planning Agency (LPA) is mandated by Florida Statutes, Section 163.3174 which LPA is statutorily responsible for the rendering of recommendations to the City Commission of the City of Sweetwater, and such other reviews as are requested by the City Commission; and

WHEREAS, City of Sweetwater City Commission, serving and sitting as the City of Sweetwater LPA, conducted a public hearing on June 4, 2018 to consider the proposed City Ordinance attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the aforesaid ordinance, if passed, would amend the City Comprehensive Plan to incorporate new text to the Transportation Element creating Objective 8 and establishing a Transportation Concurrency Management Area as more fully set forth in Exhibit "A";

WHEREAS, following proper notice as required under the Florida Statutes, a public hearing by the LPA was conducted, weighing the testimony of the applicant, staff, and public on June 4, 2018 to consider the proposed City Ordinance, which is attached hereto as Exhibit "A" and incorporated by reference;

NOW THEREFORE BE IT RESOLVED, that City of Sweetwater LPA **does/does not** recommend that City Commission grant a request to amend the City's Comprehensive Master Plan and recommends the following findings of fact and conclusions of law with regard thereto:

1. The proposed amendment to the Comprehensive Plan **DOES/DOES NOT** qualify as a small scale amendment pursuant to Section 163.3187, Florida Statutes, and City of Sweetwater code for the following reasons:

- a. The proposed amendment **DOES/DOES NOT** involve a use of 10 acres or fewer;
- b. The cumulative small scale developments adopted by City of Sweetwater City of Sweetwater **WILL/WILL NOT** exceed a maximum of 120 acres in a calendar year;
- c. The proposed amendment **DOES/DOES NOT** involve a text change to City of the goals, policies, and objectives of the local government's comprehensive plan, but rather proposes only a land use change to the future land use map on a site-specific small scale development activity. However, any text changes that relate directly to the map change are adopted simultaneously with the small scale future land use map amendment and shall be permissible under this section.
- d. The property that is subject of the proposed amendment **IS/IS NOT** located within an area of critical state concern;

2. It **IS/IS NOT** in the best interest of the health, safety and welfare of City residents and property owners for the Commission to make this change to the FLUM and such change **IS/IS NOT** necessary to provide the orderly future growth of the community and will likely have a **NEGATIVE/NO IMPACT** on affected traffic, utilities, other services, City of Sweetwater future capital expenditures, or impacts on the VE flood zones.

3. It is further recommended that, in accordance with the requirements of Section 163.3187, Florida Statutes, if this proposed change to the FLUM is made by the City Commission, Staff shall send copies of the notice of hearings and the ordinance containing the new text change to the regional planning council and any other person or entity requesting a copy.

DULY PASSED City of Sweetwater ADOPTED THIS ____day of _____, 2018.

LPA of City of Sweetwater City of Sweetwater

By: _____
LPA Chair

Approved as to legal sufficiency:

ATTEST:

By: _____
City Attorney

By: _____
City Clerk

Exhibit “A”

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SWEETWATER CITY COMMISSION AMENDING THE CITY’S COMPREHENSIVE PLAN; INCORPORATING AN OBJECTIVE 8, AND PERTINENT PROVISIONS, TO THE TRANSPORTATION ELEMENT, FOR THE ESTABLISHMENT OF A TRANSPORTATION CONCURRENCY MANAGEMENT AREA (TCMA); PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Sweetwater (the “City”) has established requirements and procedures for determination of consistency of proposed development projects with the City’s comprehensive plan; and

WHEREAS, the method of ensuring consistency and concurrency is based upon the City comprehensive master plan, and is designed to ensure that the issuance of a building permit or site plan approval will not result in a degradation of the adopted levels of service (“LOS”) for specified public facilities and services; and

WHEREAS, the City has determined the need to establish a Transportation Concurrency Exception Area (“TCMA”) within the area bounded by West Flagler Street on the north, SW 112 Avenue on the west, SW 7 Terrace on the south, and SW 107 Avenue on the east; and

WHEREAS, the TCMA is situated within an urban infill and redevelopment area that has been delineated by the City to provide an exception to the transportation concurrency requirements, in order to allow development to occur where infrastructure already exists, thereby reducing urban sprawl; and

WHEREAS, the City Commission is charged by State Statute 163 with the responsibility to plan appropriately and prudently for the future growth and development of Sweetwater; and

WHEREAS, the City wishes to incorporate an Objective 8, and applicable pertinent provisions, to the City’s Comprehensive Plan Transportation Element, as it applies to the necessity and establishment of a TCMA; and

WHEREAS, the Mayor and City Commission find that this Ordinance is in the best interest and welfare of the residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMISSION OF THE CITY OF SWEETWATER, FLORIDA AS FOLLOWS:¹

Section 1. That the recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. That the City Commission hereby incorporate Objective 8, and applicable pertinent provisions, to the City's Comprehensive Plan Transportation Element, as it applies to the necessity and establishment of a TCMA, as provided for in Exhibit "A".

Section 3. That all ordinances or portions of the City Code in conflict with the provisions of this Ordinance shall be repealed upon the effect hereof.

Section 4. That if any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That this ordinance shall become effective upon its adoption by the City Commission and approval by the Mayor or if vetoed upon its reenactment by the City Commission as provided by the Charter of the City of Sweetwater.

¹ Underlined items are additions; strike-through items are deletions.

PASSED on first reading this 2 day of April , 2018.

PASSED AND ADOPTED on second reading this ____ day of _____, 2018.

ORLANDO LOPEZ, MAYOR

COMMISSION PRESIDENT

ATTEST:

CARMEN GARCIA, CITY CLERK

CITY ATTORNEY

VOTE UPON ADOPTION:

COMMISSION PRESIDENT	_____
JONIEL DIAZ, COMMISSION VICE PRESIDENT	_____
CECILIA HOLTZ-ALONSO, COMMISSIONER	_____
MANUEL DUASSO, COMMISSIONER	_____
MARCO VILLANUEVA, COMMISSIONER	_____
PRISCA BARRETO, COMMISSIONER	_____
DAVID BORRERO, COMMISSIONER	_____

EXHIBIT "A"

Sweetwater Comprehensive Plan Transportation Element

Goals, Objectives and Policies

* * *

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WHEREAS, the City Commission is charged by State Statute 163 with the responsibility to plan appropriately and prudently for the future growth and development of Sweetwater; and

WHEREAS, the City wishes to incorporate an Objective 8, and applicable pertinent provisions, to the City's Comprehensive Plan Transportation Element, as it applies to the necessity and establishment of a TCMA; and

WHEREAS, the Mayor and City Commission find that this Ordinance is in the best interest and welfare of the residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMISSION OF THE CITY OF SWEETWATER, FLORIDA AS FOLLOWS:²

Section 1. That the recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

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Section 3. That all ordinances or portions of the City Code in conflict with the provisions of this Ordinance shall be repealed upon the effect hereof.

Section 4. That if any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That this ordinance shall become effective upon its adoption by the City Commission and approval by the Mayor or if vetoed upon its reenactment by the City Commission as provided by the Charter of the City of Sweetwater.

² Underlined items are additions; strike-through items are deletions.

PASSED on first reading this ____ day of _____, 2018.

PASSED AND ADOPTED on second reading this ____ day of _____, 2018.

ORLANDO LOPEZ, MAYOR

IDANIA LLANIO, COMMISSION
PRESIDENT

ATTEST:

CARMEN GARCIA, CITY CLERK

GUILLERMO CUADRA, CITY ATTORNEY

VOTE UPON ADOPTION:

IDANIA LLANIO, COMMISSION PRESIDENT
JONIEL DIAZ, COMMISSION VICE PRESIDENT
CECILIA HOLTZ-ALONSO, COMMISSIONER
MANUEL DUASSO, COMMISSIONER
MARCO VILLANUEVA, COMMISSIONER
PRISCA BARRETO, COMMISSIONER
DAVID BORRERO, COMMISSIONER

Policy 8.1: The City shall determine appropriate strategies and improvements in the TCMA to mitigate Level of Service (LOS) conditions, including timing and staging plans, parking control and pricing policies, transportation demand management programs, transportation system management programs, availability of public transportation, and utilization of creative financing tools for the provision of transportation services and facilities.

Maintenance of transportation LOS within this designated TCMA shall be in accordance with the Miami-Dade County adopted Transportation Corridors LOS standards, and the City of Sweetwater person-trip methodology for measurement of local roadway LOS on a transportation facility, which may be a roadway, mass transit service, or any other transportation mode alone, or in combination with others. Adopted LOS standards shall be applied to roadway segments and/or overall intersections. The City person-trip methodology calculates the total person-trip capacity of vehicular and transit modes, utilizing a transportation facility compared to the total person-trip demand on that facility as a ratio in letter grades LOS A through LOS F, in the same manner as used by the conventional volume-over-capacity (V/C) methodology. The person-trip methodology shall not apply to Strategic Intermodal System (SIS) roadways. SIS roadways shall be evaluated utilizing vehicle-trip methodology. Issuance of development orders for new developments, or significant expansion of existing developments, shall be contingent upon compliance with the following adopted LOS standards:

- Where no public transit exists, and private passenger vehicles are the only vehicular mode available for travel on the facility, a minimum LOS E (100 percent of capacity) shall apply.
- Where bus transit service on minimum 20-minute headways is available, and within ½ mile of the facility, the facility shall operate at no greater than 120 percent of capacity.
- Where extraordinary transit service (commuter rail, Metrorail, people mover, bus rapid transit, express bus, enhanced bus service and/or premium transit service) on minimum 20-minute headways is available, and within ½ mile of the facility, the facility shall operate at no greater than 150 percent of capacity.

The adopted LOS shall be applied to roadway segments and overall intersections.

Policy 8.2: Data and analysis justifying the size of the TCMA shall be provided, to determine appropriate improvements in the Area to mitigate LOS deficiency and any other issues that could develop as future growth occurs.

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